

State of Arizona
COMMISSION ON JUDICIAL CONDUCT

Disposition of Complaint 10-246

Complainant: No. 0009310319A

Judge: No. 0009310319B

ORDER

The complainant alleged that a superior court judge delayed ruling on a pending matter. After reviewing the allegations and the court file, the commission found that the judge issued a timely ruling. Accordingly, the complaint is dismissed pursuant to Rules 16(a) and 23.

Dated: November 19, 2010

FOR THE COMMISSION

/s/ Keith Stott
Executive Director

Copies of this order were mailed to the complainant and the judge on November 19, 2010.

This order may not be used as a basis for disqualification of a judge.

CONFIDENTIAL

State of Arizona
Commission on Judicial Conduct
1501 W. Washington Street, Suite 229
Phoenix, Arizona 85007

FOR OFFICE USE ONLY**2010-246****COMPLAINT AGAINST A JUDGE****Your name:****Judge's name:****Date:** 9/10/2010

Instructions: You can use this form or plain paper of the same size to file a complaint. Please describe in your own words what the judge did that you believe constitutes judicial misconduct. Be specific and list all of the names, dates, times and places that will help us understand your concerns. You may attach additional pages but not original court documents. Print or type on one side of the paper only, and keep a copy of the complaint for your files.

Judge is, AGAIN, in violation of Canon 3B(8) of the Code of Judicial Conduct, and Article 6 § 21 of the Arizona Constitution, for failure to dispose of a judicial matter within 60 days. (See previous complaints: 07-238, and 10-081, and Special Action CA-SA 09-0063, Barr v. Grimsley/Wilkins.) ¶ In this instant violation a pleading was lodged on or about June 28, 2010, by my attorney, Cedric Martin Hopkins. The pleading requested Judge to:

(1) "...conduct a separate hearing regarding the claims advanced in Section II (A) of the Petition for Post Conviction Relief... [and]"

(2) "...that such hearing be conducted before a Judge other than the Judge challenged."

As of this date there has been no response from Judge Court regarding these requests for judicial action. ¶ This instant failure/refusal by Judge to dispose of a judicial matter, promptly in my case, is further evidence of a pattern of practice of pre-judice (against me) by Judge. This pattern of practice is defined by the, above referenced, previous procrastinations by Judge which have already caused more than two years of unnecessary delay to these post conviction proceedings.

I am an innocent man. (See www. and www. /The Saga of) I believe Judge is deliberately dragging her feet in hopes that I will die before she, and Apache County, will be further embarrassed by my exoneration.

Justice delayed is justice denied.

Please suggest to Judge that she remove herself from this case.